

SEP 14 2005

Customer No. 28880

Confirmation No. 9112

PTO/SB/21 (08-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

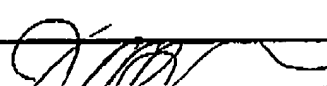
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

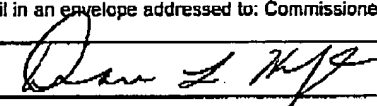
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/774,241	
	Filing Date	02/06/2004	
	First Named Inventor	Frederick Earl Boyer	
	Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	20	Attorney Docket Number	PC25654A

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input checked="" type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	
	Authorization to charge the fee and any additional fees as necessary by overpayment to deposit account 23-0455 is hereby given.	

RECEIVED
OIPE/IAP

SEP 15 2005

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name		
Signature		
Printed name	J. Michael Dixon	
Date	September 14, 2005	Reg. No. 32,410

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Diane L. Hetzler	Date 9/14/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

USPTO Fax No. 571-273-8300

SEP 14 2005

PC25654A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.: 10/774,241
APPLICANT: Frederick Earl Boyer JR. et al
FILED: February 6, 2004
TITLE: ANTIBACTERIAL AGENTS
CONFIRMATION NO.: 9112
CUSTOMER NO.: 28880

September 14, 2005

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF MISSING PARTS UNDER 37 CFR 1.53(b)

This paper is in response to the Notification of Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b) in the United States Patent and Trademark Office, dated August 8, 2005. In the Notification of Missing Parts, the Office alleged that the Applicants' have submitted an oath and declaration unsigned. To avoid abandonment, a late surcharge fee as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity must be submitted with the executed oath and declaration.

Enclosed is the executed oath and declaration and a copy of the Notice To File Missing Parts of Nonprovisional Application. Authorization hereby is given to charge any fees which may be required to Deposit Account 23-0455.

The requirement of the submission of the statutory late filing fee has been satisfied. Thus, all requirements for acceptance of the instant application have been met.

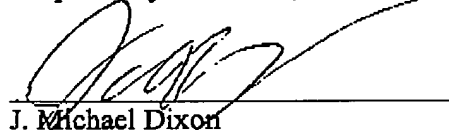
Accordingly, Applicants' respectfully request acceptance of the above-identified application under 35 U.S.C. § 1.53(b).

Applicants respectfully request examination of the application on the merits.

9/14/05

Date

Respectfully submitted,



J. Michael Dixon

Registration No. 32,410

Warner-Lambert Company

2800 Plymouth Road

Ann Arbor, MI 48105

Tel. (734) 622-1705

Fax (734) 622-1553

**RECEIVED
CENTRAL FAX CENTER**

Page 1 of 2

SEP 14 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/774,241	02/06/2004	Frederick Earl Boyer JR.	PC25654A

28880
WARNER-LAMBERT COMPANY
2800 PLYMOUTH RD
ANN ARBOR, MI 48105

**CONFIRMATION NO. 9112
FORMALITIES
LETTER**

Date Mailed: 08/19/2005

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity


- **\$130 Surcharge.**

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

09/16/2005 MAHRED1 00000004 230455 10774241

01 FC:1051 130.00 DA

*A copy of this notice **MUST** be returned with the reply.*


Office of Initial Patent Examination (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE